

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

CHAKAKHAN R. DAVIS

PLAINTIFF

V.

CAUSE NO. 3:15-CV-874-CWR-LRA

BRENDA JONES

DEFENDANT

ORDER

On this day, plaintiff Chakakhan Davis's claim against defendant Brenda Jones was called for trial. Despite being notified of the trial setting and being warned that failure to appear may result in dismissal of her case, the plaintiff failed to appear. The defendant then orally moved to dismiss for failure to prosecute.

Given the plaintiff's absence, and "in light of 'the history of this litigation' and 'of all the circumstances surrounding [the plaintiff's] action in the case,'" *Link v. Wabash R. Co.*, 370 U.S. 626, 635 (1962), some of which were recited this morning from the bench, the Court agrees that this case should be dismissed with prejudice for failure to prosecute. *See* Fed. R. Civ. P. 41(b). A separate Final Judgment shall issue this day.

SO ORDERED, this the 20th day of August, 2018.

s/ Carlton W. Reeves
UNITED STATES DISTRICT JUDGE